

HOUSE BILL 446

P1

6lr2700
CF SB 103

By: **Delegates West, Bromwell, Cullison, and Sample–Hughes**

Introduced and read first time: January 29, 2016

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Maryland Youth Advisory Council – Revisions**

3 FOR the purpose of altering the membership of the Maryland Youth Advisory Council;
4 specifying that the members must be residents of the State; altering the factors that
5 certain persons are required to consider in deciding which youths to nominate as
6 members of the Council; altering the term and term limit of a member; requiring
7 that a certain member represent the views of a certain public or private youth council
8 or youth empowerment organization before the Council; requiring the members to
9 elect a chair at a certain meeting; requiring the members of the Council to select a
10 certain executive board at a certain meeting; repealing the requirement that certain
11 individuals serve as cochairs; altering the duties that the Governor’s Office for
12 Children has in relation to the Council; altering the duties of the Council; requiring
13 the Council to meet at certain times and hold a certain number of public hearings
14 each Council year, rather than each year; specifying that the Council is required to
15 conduct one educational meeting each Council year; requiring the Council to report
16 its activities on or before the last day of the Council year, rather than the last day of
17 the youth members’ terms; specifying the terms of the members of the Council
18 appointed in a certain year; defining a certain term; making conforming changes;
19 and generally relating to the Maryland Youth Advisory Council.

20 BY repealing and reenacting, with amendments,
21 Article – State Government
22 Section 9–2701
23 Annotated Code of Maryland
24 (2014 Replacement Volume and 2015 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
26 That the Laws of Maryland read as follows:

27 **Article – State Government**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 9–2701.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) “Council” means the Maryland Youth Advisory Council.

4 **(3) “COUNCIL YEAR” MEANS THE 12–MONTH PERIOD BEGINNING**
5 **SEPTEMBER 1 AND ENDING AUGUST 31.**

6 **[(3)] (4)** “High school student” means a youth who is enrolled in high
7 school, who is a home school student, or who is enrolled in a program that leads to a high
8 school diploma or certificate of attendance or a general equivalency diploma.

9 **[(4)] (5)** “Institution of postsecondary education” has the meaning stated
10 in § 10–101 of the Education Article.

11 **[(5)] (6)** “Public senior higher education institution” has the meaning
12 stated in § 10–101 of the Education Article.

13 **[(6)] (7)** “Youth” means an individual who is 14 to 22 years old.

14 (b) There is a Maryland Youth Advisory Council.

15 [(c) The Council consists of:

16 (1) the following members appointed by the President of the Senate:

17 (i) six high school students, including at least three who are
18 students in the State and who are enrolled in public high schools;

19 (ii) two youths who are students at institutions of postsecondary
20 education located in the State; and

21 (iii) one member of the Senate;

22 (2) the following members appointed by the Speaker of the House of
23 Delegates:

24 (i) six high school students, including at least three who are
25 students in the State and who are enrolled in public high schools;

26 (ii) two youths who are students at institutions of postsecondary
27 education located in the State; and

28 (iii) one member of the House of Delegates;

1 (3) the following members appointed by the Governor:

2 (i) twelve youths, including at least ten high school students, at
3 least five of whom shall be students in the State who are enrolled in public high schools;
4 and

5 (ii) four youths who are students at institutions of postsecondary
6 education located in the State;

7 (4) the following members selected by other youths, including:

8 (i) fifteen high school students chosen by the Maryland Association
9 of Student Councils; and

10 (ii) eight youths who are students at institutions of postsecondary
11 education located in the State, including:

12 1. three members selected by the University System of
13 Maryland Student Council; and

14 2. five members selected by the Student Advisory Council to
15 the Maryland Higher Education Commission, including:

16 A. at least one member who is enrolled in a community
17 college;

18 B. at least one member who is enrolled in a private college or
19 university; and

20 C. at least one member who is enrolled in a public senior
21 higher education institution who is not otherwise represented on the Council; and

22 (5) an executive board that consists of:

23 (i) four members selected by the youth members appointed by the
24 President of the Senate and the Speaker of the House, including:

25 1. three high school students; and

26 2. one student at an institution of postsecondary education;

27 (ii) four members selected by the youth members appointed by the
28 Governor, including:

29 1. three high school students; and

1 (1) the President of the Senate and the Speaker of the House shall, to the
2 extent practicable, consider:

3 (i) the geographic and demographic diversity of the State;

4 (ii) diversity in education, including nontraditional settings such as
5 vocational and tech-oriented education; [and]

6 (iii) youths with disabilities; AND

7 **(IV) YOUTHS WHO ARE INVOLVED IN ESTABLISHED PUBLIC AND**
8 **PRIVATE YOUTH COUNCILS AND YOUTH EMPOWERMENT ORGANIZATIONS IN THE**
9 **STATE, INCLUDING:**

10 **1. SERVICE LEARNING AND LEADERSHIP PROGRAMS;**

11 **2. TEEN COURT PROGRAMS;**

12 **3. FOSTER CARE;**

13 **4. STUDENT COUNCILS;**

14 **5. JUVENILE SERVICE PROGRAMS; AND**

15 **6. TRANSITIONAL PROGRAMS;**

16 (2) the [Governor] **CHILDREN’S CABINET AND LOCAL MANAGEMENT**
17 **BOARDS** shall, to the extent practicable, consider:

18 (i) the geographic and demographic diversity of the State;

19 (ii) diversity in education, including nontraditional settings such as
20 vocational and tech-oriented education;

21 (iii) youths with disabilities; [and]

22 (iv) transitional youths who are not in high school or an institution
23 of postsecondary education and not likely to attend an institution of postsecondary
24 education; and

25 **(V) YOUTHS WHO ARE INVOLVED IN ESTABLISHED PUBLIC AND**
26 **PRIVATE YOUTH COUNCILS AND YOUTH EMPOWERMENT ORGANIZATIONS IN THE**
27 **STATE, INCLUDING:**

28 **1. SERVICE LEARNING AND LEADERSHIP PROGRAMS;**

- 1 **2. TEEN COURT PROGRAMS;**
2 **3. FOSTER CARE;**
3 **4. STUDENT COUNCILS;**
4 **5. JUVENILE SERVICE PROGRAMS; AND**
5 **6. TRANSITIONAL PROGRAMS; AND**

6 (3) the Maryland Association of Student Councils shall consider youths
7 who are enrolled in schools represented by the Association as well as applicants who are
8 enrolled in schools that are not represented by the Association.

9 (e) (1) The term of a [youth] member of the Council is [1 year, from September
10 1 through August 30 of the following year] **2 COUNCIL YEARS.**

11 (2) A [youth] member who is appointed [or selected] after a term has begun
12 serves only for the rest of the term and until a successor is appointed [or selected] and
13 qualifies.

14 (3) A [youth] member may not serve more than [two consecutive terms]
15 **ONE TERM.**

16 [(4) The member from the Senate and the member from the House serve,
17 respectively, at the pleasure of the President of the Senate and the Speaker of the House.]

18 **(4) IF A MEMBER REPRESENTS AN ESTABLISHED PUBLIC OR PRIVATE**
19 **YOUTH COUNCIL OR YOUTH EMPOWERMENT ORGANIZATION IN THE STATE, THE**
20 **MEMBER SHALL REPRESENT THE VIEWS OF THE COUNCIL OR ORGANIZATION**
21 **BEFORE THE COUNCIL.**

22 (f) (1) At the first meeting of each [youth member term period] **COUNCIL**
23 **YEAR**, the [youth] members shall:

24 **(I)** elect [one of the youth members to serve as cochair] **A CHAIR** for
25 a term of 1 year; **AND**

26 **(II) SELECT AN EXECUTIVE BOARD THAT CONSISTS OF:**

27 **1. TWO MEMBERS WHO WERE NOMINATED BY THE**
28 **PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE;**

1 **2. TWO MEMBERS WHO WERE NOMINATED BY THE**
2 **CHILDREN’S CABINET OR THE LOCAL MANAGEMENT BOARDS;**

3 **3. ONE MEMBER WHO WAS NOMINATED BY THE**
4 **MARYLAND ASSOCIATION OF STUDENT COUNCILS; AND**

5 **4. ONE MEMBER WHO WAS NOMINATED BY THE**
6 **UNIVERSITY SYSTEM OF MARYLAND STUDENT COUNCIL OR THE MARYLAND**
7 **HIGHER EDUCATION COMMISSION STUDENT ADVISORY COUNCIL.**

8 (2) [A representative of the Governor’s Office for Children appointed by the
9 Governor, the member from the Senate, and the member from the House shall serve as
10 cochairs with the elected youth member cochair.

11 (3)] The Council may appoint any officers that it considers necessary.

12 [(4) The cochair appointed by the Governor shall, on behalf of the Governor,
13 the President of the Senate, and the Speaker of the House, develop an initial application
14 and application process, both of which the Council may change at its discretion.]

15 (g) The Governor’s Office for Children[, in addition to the member from the
16 Senate, or the member from the House, or both,] shall:

17 (1) provide staff support for the Council;

18 (2) **DEVELOP, IN CONSULTATION WITH THE COUNCIL, AN INITIAL**
19 **APPLICATION AND APPLICATION PROCESS;**

20 (3) **WORK WITH ESTABLISHED PUBLIC OR PRIVATE YOUTH COUNCILS**
21 **OR YOUTH EMPOWERMENT ORGANIZATIONS IN THE STATE TO SELECT**
22 **REPRESENTATIVES TO APPLY TO BECOME A MEMBER OF THE COUNCIL;**

23 (4) **ENSURE THAT MEMBERS OF THE COUNCIL PROVIDE A BROAD**
24 **REPRESENTATION OF ALL JURISDICTIONS AND POPULATIONS;**

25 (5) **ORGANIZE AT LEAST FOUR COUNCIL MEETINGS PER COUNCIL**
26 **YEAR;**

27 (6) **ASSIST THE COUNCIL IN PREPARING RECOMMENDATIONS TO THE**
28 **GOVERNOR AND THE GENERAL ASSEMBLY; AND**

29 (7) **APPOINT MEMBERS OF THE COUNCIL FROM LISTS OF**
30 **NOMINATIONS PROVIDED BY THE PERSONS MAKING THE NOMINATIONS SPECIFIED**
31 **IN SUBSECTION (C)(1) OF THIS SECTION.**

1 **(H) THE OFFICE OF THE PRESIDENT AND THE OFFICE OF THE SPEAKER**
2 **SHALL SERVE AS ADVISORS TO THE COUNCIL.**

3 **[(h)] (I)** The Council shall:

4 (1) inform the Governor and the General Assembly of issues concerning
5 youth, including offering testimony on these issues before legislative bodies;

6 (2) examine issues of importance to youth, including:

7 (i) education;

8 (ii) a safe learning environment;

9 (iii) employment opportunities;

10 (iv) strategies to increase youth participation in local and State
11 government;

12 (v) health care access and quality of care;

13 (vi) substance abuse and underage drinking;

14 (vii) emotional and physical well-being;

15 (viii) the environment;

16 (ix) poverty;

17 (x) homelessness;

18 (xi) youth access to State and local services;

19 (xii) suicide prevention; and

20 (xiii) educational accessibility issues for students with disabilities,
21 including access to:

22 1. schools;

23 2. school-related activities; and

24 3. classes;

25 (3) recommend one legislative proposal each legislative session concerning
26 an issue included in item (2) of this subsection for possible introduction; **[and]**

1 (4) conduct a public awareness campaign to raise awareness about the
2 Council among Maryland youth;

3 **(5) PARTICIPATE IN LOCAL YOUTH ACTIVITIES OR ORGANIZATIONS;**

4 **(6) ADVISE LOCAL OFFICIALS AND COMMUNITY LEADERS ON YOUTH**
5 **ISSUES; AND**

6 **(7) COLLECT INFORMATION FROM OTHER YOUTH GROUPS IN ORDER**
7 **TO INFORM THE ACTIVITIES OF THE COUNCIL.**

8 **[(i)] (J)** (1) The Council shall work with the State Department of Education
9 regarding the granting of school credit for Council service.

10 (2) The State Department of Education and the Maryland Higher
11 Education Commission shall notify the head administrators of all State high schools and of
12 all institutions of postsecondary education, respectively, of the creation of the Council so
13 that the administrators may inform their students.

14 (3) The State Department of Education shall allow up to four absences of a
15 [youth] member from school per school year to be categorized as lawful absences if the
16 absences were due to the business of the Council.

17 **[(j)] (K)** (1) The Council shall set priorities and determine:

18 (i) the function of subcommittees;

19 (ii) standards of conduct;

20 (iii) procedures; and

21 (iv) the use of technology to convene or conduct meetings or facilitate
22 communications among members.

23 (2) The Council shall review and consider whether the procedures and
24 rules used by the General Assembly would be appropriate for use as models for the Council.

25 **[(k)] (L)** The Council shall:

26 (1) meet at least four times each **COUNCIL** year and conduct one or two
27 public hearings each **COUNCIL** year on issues of importance to youth;

28 (2) conduct one educational meeting **EACH COUNCIL YEAR** concerning the
29 legislative process, to which the President of the Senate, the Speaker of the House, and the

1 Executive Director of the Department of Legislative Services, or their designees, shall be
2 invited to speak; and

3 (3) open all meetings to the public.

4 **[(1)] (M)** A member of the Council:

5 (1) may not receive compensation as a member of the Council; but

6 (2) is entitled to reimbursement for expenses under the Standard State
7 Travel Regulations, as provided in the State budget.

8 **[(m)] (N)** On or before the last day of the [youth members' terms] **COUNCIL**
9 **YEAR**, the Council shall report its activities to the Governor and, in accordance with §
10 2–1246 of this article, to the General Assembly.

11 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the members of
12 the Maryland Youth Advisory Council appointed in 2016 shall expire as follows:

13 (1) half of the members, as determined by the Governor's Office for
14 Children, on August 31, 2017; and

15 (2) the remaining half of the members on August 31, 2018.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2016.